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INTERGOVERNMENTAL NEGOTIATING
COMMITTEE FOR THE ELABORATION
OF AN INTERNATIONAL CONVENTION
TO COMBAT DESERTIFICATION
Organizational session
26-29 January 1993

DRAFT RULES OF PROCEDURE

I. REPRESENTATION

Composition of delegations

Rule 1

The delegation of each State participating in the work of the Intergovernmental Negotiating Committee (hereinafter referred to as "the Committee") shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Alternates and adivsers

Rule 2

The head of delegation may designate an alternate representative or an adviser to act as a representative.

II. OFFICERS

Temporary Chairman

Rule 3

The Secretary-General of the United Nations or, in his absence, his representative, shall open the first meeting of the Committee and preside until the Committee has elected its Chairman.

Elections

Rule 4

The Committee shall elect from among the representatives of participating States the following officers who shall constitute the Bureau: a Chairman, three Vice-Chairmen and a Rapporteur. Each of the five regional groups shall be represented by one member.

General powers of the Chairman

Rule 5

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the Chairman shall preside at the plenary meetings of the Committee, declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, promote general agreement, inform the Committee on efforts to reach general agreement, put questions to the vote and announce decisions. The Chairman shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The Chairman may propose to the Committee the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The Chairman, in the exercise of his functions, remains under the authority of the Committee.

Acting Chairman

Rule 6

1. If the Chairman finds it necessary to be absent from a meeting or any part thereof, he shall designate a Vice-Chairman to take his place.

2. A Vice-Chairman acting as Chairman shall have the powers and duties of the Chairman.

Replacement of the Chairman

Rule 7

If the Chairman is unable to perform his functions, a new Chairman shall be elected.

The Chairman shall not vote

Rule 8

The Chairman, or Vice-Chairman acting as Chairman, shall not vote in the Committee, but shall designate another member of his delegation to vote in his place.

III. SECRETARIAT

Duties of the Secretary-General

Rule 9

1. The Secretary-General of the United Nations shall provide and direct the staff required by the Committee.

2. He may appoint a representative to act in his place at all meetings of the Committee and its subsidiary bodies.

Duties of the Secretariat

Rule 10

The Secretariat shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate, reproduce and distribute the documents of the Committee;

(c) Make and arrange for the keeping of sound recordings of meetings;

(d) Arrange for the custody and preservation of the documents of the Committee in the archives of the United Nations;

(e) Generally perform all other work that the Committee may require.

Statements by the Secretariat

Rule 11

In the exercise of the duties referred to in rules 9 and 10, the Secretary-General or any other member of the staff designated for that purpose may, at any time, make either oral or written statements concerning any question under consideration.

IV. CONDUCT OF BUSINESS

Quorum

Rule 12

The Chairman may declare a meeting open and permit the debate to proceed when representatives of at least one third of the States participating in the work of the Committee are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

Speeches

Rule 13

1. No one may address the Committee without having previously obtained the permission of the Chairman. Subject to rules 14, 15, 18, 19 and 20, the Chairman shall call upon speakers in the order in which they signify their desire to speak. The secretariat shall be in charge of drawing up a list of such speakers. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

2. The Committee may limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the Chairman shall call him to order without delay.

Precedence

Rule 14

The Chairman or Rapporteur of a subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by the subsidiary organ in question.

Points of order

Rule 15

During the discussion of any matter, a representative of a State participating in the work of the Committee may at any time raise a point of order, which shall be decided immediately by the Chairman in accordance with these rules. A representative may appeal against the ruling of the Chairman. The appeal shall be put to the vote immediately, and the Chairman's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Closing list of speakers

Rule 16

During the course of a debate, the Chairman may announce the list of speakers and, with the consent of the Committee, declare the list closed.

Right of reply

Rule 17

1. Notwithstanding rule 16, the Chairman shall accord the right of reply to a representative of any State participating in the work of the Committee who requests it.

2. Replies made pursuant to the present rule shall be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant issue if that is sooner.

3. The number of interventions in reply for any delegation at a given meeting should be limited to two per issue.

4. The first intervention in reply, for any delegation on any issue at a given meeting, shall be limited to five minutes and the second intervention shall be limited to three minutes.

Adjournment of debate

Rule 18

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion permission to speak on the motion shall be accorded only to two representatives in favour and to two opposing the adjournment, after which the motion shall, subject to rule 21, be immediately put to the vote.

Closure of debate

Rule 19

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 21, be immediately put to the vote.

Suspension or adjournment of the meeting

Rule 20

Subject to rule 32, a representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 21, be immediately put to the vote.

Order of motions

Rule 21

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Proposals and amendments

Rule 22

Proposals and amendments shall normally be submitted in writing to the Secretary-General, who shall circulate copies to all delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Committee unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The Chairman may, however, permit the discussion and consideration of amendments, even though these amendments have not been circulated or have only been circulated the same day.

Decisions on competence

Rule 23

Subject to rule 21, any motion calling for a decision on the competence of the Committee to discuss any matter or to adopt a proposal submitted to it shall be put to the vote before the matter is discussed or a decision is taken on the proposal in question.

Withdrawal of proposals and motions

Rule 24

A proposal or a motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that it has not been amended. A proposal or a motion that has thus been withdrawn may be reintroduced by any representative.

Reconsideration of proposals

Rule 25

When a proposal has been adopted or rejected it may not be reconsidered unless the Committee, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on the motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Invitations to technical advisers

Rule 26

The Committee may invite to one or more of its meetings any person whose technical advice it may consider useful for its work.

V. DECISION-MAKING

General agreement

Rule 27

1. The Committee shall make its best endeavours to ensure that the work of the Committee is accomplished by general agreement.

2. If, in the consideration of any matter of substance, all efforts by the Committee and its Chairman, pursuant to the provisions of rule 5, have been made and no agreement appears to be attainable, the Committee shall thereupon decide on the steps to be taken, in accordance with rule 29.

Voting rights

Rule 28

Each State participating in the work of the Committee shall have one vote.

Majority required

Rule 29

Subject to rule 27, decisions of the Committee and its subsidiary organs shall be made by a majority of the members present and voting.

Meaning of the phrase "representatives present and voting"

Rule 30

For the purpose of these rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Method of voting

Rule 31

1. Except as provided in rule 38, the Committee shall normally vote by show of hands, except that a representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the work of the Committee, beginning with the delegation whose name is drawn by lot by the Chairman. The name of each State shall be called in all roll-calls and its representative shall reply "yes", "no" or "abstention".

2. When the Committee votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote, which shall, unless a representative requests otherwise, be taken without calling out the names of the States participating in the Committee.

3. The vote of each State participating in a roll-call or a recorded vote shall be inserted in any record of or report on the meeting.

Conduct during voting

Rule 32

After the Chairman has announced the commencement of voting, no representative shall interrupt the voting except on a point of order in connection with the process of voting.

Explanation of vote

Rule 33

Representatives may make brief statements consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The Chairman may limit the time to be allowed for such explanations. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

Division of proposals

Rule 34

A representative may move that parts of a proposal be voted on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded only to two representatives in favour and two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Amendments

Rule 35

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Order of voting on amendments

Rule 36

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Committee shall vote first on the amendment furthest removed in substance from the

original proposal and then on the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Order of voting on proposals

Rule 37

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Committee decides otherwise, be voted on in the order in which they were submitted. The Committee may, after each vote on a proposal, decide whether to vote on the next proposal.

2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case, the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.

3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a vote is taken on the proposal in question.

Elections

Rule 38

All elections shall be held by secret ballot unless, in the absence of any objection, the Committee decides to proceed without taking a ballot when there is an agreed candidate or slate.

Rule 39

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

2. If the number of candidates obtaining such a majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

VI. SUBSIDIARY ORGANS

Subsidiary organs

Rule 40

The Committee may establish such subsidiary organs as it deems necessary, which shall elect their own officers.

VII. LANGUAGES AND RECORDS

Languages of the Committee

Rule 41

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Committee.

Interpretation

Rule 42

1. Speeches made in a language of the Committee shall be interpreted into the other such languages.

2. A representative may speak in a language other than a language of the Committee if the delegation concerned provides for interpretation into one such language.

Sound recordings of meetings

Rule 43

The secretariat shall make sound recordings of meetings of the Committee. Such recordings shall be made of meetings of subsidiary organs when the organ concerned so decides.

Languages of official documents

Rule 44

Official documents shall be made available in the languages of the Committee.

VIII. PUBLIC AND PRIVATE MEETINGS

Plenary meetings

Rule 45

The plenary meetings of the Committee shall be held in public unless the Committee decides otherwise. All decisions taken by the plenary of the Committee at a private meeting shall be announced at an early public meeting of the plenary.

Other meetings

Rule 46

Meetings of subsidiary organs shall be held in private unless the organ concerned decides otherwise.

Communiqués on private meetings

Rule 47

At the close of a private meeting, the Chairman of the Committee or the organ concerned may issue a communiqué to the press through the Secretary-General.

IX. OBSERVERS AND OTHER PARTICIPANTS

Participation of observers

Rule 48

Observers shall participate in the work of the Committee in accordance with the established practice of the General Assembly.

Participation of non-governmental organizations

Rule 49

Non-governmental organizations invited to the Committee, especially those from developing countries, may contribute constructively to the success of the negotiating process in accordance with the present rules and taking into account procedures used in the process of the United Nations Conference on Environment and Development.

X. SUSPENSION AND AMENDMENT OF THE RULES OF PROCEDURE

Method of suspension

Rule 50

Any of these rules may be suspended by the Committee provided that twenty-four hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.

Method of amendment

Rule 51

These rules of procedure may be amended by a decision of the Committee taken by a two-thirds majority of the representatives present and voting, after the Committee has been informed of the proposed amendment.